



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 24-43

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

WHEREAS, the Squaxin Island Tribal Council finds that the confidentiality of youth in need of care hearings, conferences, and records is essential to the health and welfare of the Squaxin Island Tribe and its members;

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby adopts the following amendments to the Youth Code, Chapter 10.04.100 Confidentiality of Youth in Need of Care Hearings and Conferences and 10.04.105 Records Relating to Youths in Need of Care to be Kept Confidential (copy attached hereto).

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 13th day of June, 2024, at which time a quorum was present and was passed by a vote of 4 for and 0 against, with 0 abstentions.

Kris Peters

Kris Peters (Jun 14, 2024 12:51 PDT)

Kris Peters, Chairman

Attested by: *Josh Whitener*
Josh Whitener (Jun 19, 2024 08:22 PDT) for _____
James Peters, Secretary

Jaimie Cruz

Jaimie Cruz (Jun 17, 2024 03:29 PDT)

Jaimie Cruz, Vice Chair

10.04.100 Confidentiality.

~~A. — Hearings and Conferences. All hearings and conferences under this code shall be closed to the public. Only the presenting officer, the Youth Court judge, the Indian Child Welfare worker, the tribal law enforcement officers, and the parties to the action shall be permitted at the hearings and conferences; provided, that the parties may agree to allow the presence of other persons. Any person asked to testify or speak shall be permitted at the hearings and conferences but only for the limited purpose of giving testimony or presenting evidence.~~

~~B. — Records. All conference, hearing, and law enforcement records and files under this code shall be confidential and shall not be open to inspection to any but the following, except as may be ordered by the Court in the youth's best interest:~~

~~1. — The youth and his or her legal representative.~~

~~2. — The parent, guardian, or custodian.~~

~~3. — The Indian Child Welfare worker.~~

~~4. — The presenting officer.~~

~~Law enforcement records and files under this code concerning a youth shall be kept separate from the records and files of adults.~~

10.04.100 Confidentiality of Youth in Need of Care Hearings and Conferences.

All tribal youth in need of care hearings and conferences under this Title shall be closed to the public. Only the youth court judge, tribal court staff, the Family Services representative, tribal law enforcement officers, the parties to the action, and any persons asked to testify or speak shall be permitted at the hearings and conferences, provided that the parties may agree to allow the presence of other persons.

10.04.105 Records Relating to Youths in Need of Care to be Kept Confidential.

A. All youth in need of care conference, hearing, Indian Child Welfare, and law enforcement records and files shall be confidential and shall not be open to inspection to, or shared with, any but the following, except as may be ordered by the Court in the youth's best interest:

1. The youth and his or her representative;
2. The parent(s), guardian, or custodian;
3. The Family Services Representative;
4. The presenting officer; or
5. Tribal Council.

B. Law enforcement records and files concerning a youth in need of care shall be kept separate from the records and files of adults.

C. Exceptions: Nothing contained in 10.04.100 and 10.04.105 shall prevent an Indian Child Welfare worker from disclosing records under the following circumstances. In any disclosure, the Indian Child Welfare worker shall make all reasonable attempts to limit disclosures to that necessary to protect the best interests of the child.

1. Youth in need of care records and files may be shared with appropriate state agencies or employees, or agencies or employees of other Tribes, in accordance with any reciprocal agreement made by the Tribe to share such records.
2. The Indian Child Welfare worker may share information necessary to protect the best interests of the youth in the following circumstances:
 - a. Information shared with a teacher, counselor, or school employee for purposes of the youth's education.
 - b. Information shared with any health care professional for the youth's medical care, mental health, or substance abuse treatment.
 - c. Information shared with potential placement providers to ensure safe and proper placement of the youth.











Code - Youth Code Amendment 2024

Final Audit Report

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